DEW

JUL 17 2006 89

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number 10/646,243 **TRANSMITTAL** Filing Date August 22, 2003 **FORM** First Named Inventor Bardy, Gust H. Art Unit 3735 (to be used for all correspondence after initial filing) **Examiner Name** Natnithithadha, Navin Total Number of Pages in This Submission Attorney Docket Number 020.0341.US.CON

ENCLOSURES (Check all that apply)							
Fee Trans	mittal Form	Drawing(s)	Afte	Allowance communication to (TC)			
Fee	Attached	Licensing-related Papers		eal Communication to Board of eals and Interferences			
Amendme	ent / Reply	Petition	Apr	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
Afte	r Final	Petition to Convert to a Provisional Application	Pro	prietary Information			
Affic	davits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Sta	Status Letter			
Extension	of Time Request	Terminal Disclaimer	X Oth	er Enclosure(s) (please identify w):			
Express A	bandonment Request	Request for Refund	Postcard				
X Information	Disclosure Statement	CD, Number of CD(s)					
		Landscape Table on CD					
Certified Copy of Priority Document(s)							
Reply to M	issing Parts/	Remarks					
	Application						
Reply to Missing Parts under							
37 CFR 1.52 or 1.53							
	SIGN	ATURE OF APPLICANT, ATTORNEY, C	R AGENT				
Firm Name	Law Offices of Patrick	J.S. Inquive					
Signature	731	21.6~					
Printed name	Patrick J.S. Inouve						
·			Reg. No. 402	97			
CERTIFICATE OF TRANSMISSION/MAILING							
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.							
Signature	L. Lipa	rdeliani.					
Typed or printed name Lali Liparteliani Date July 12, 2006							

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Applicant(s): Bardy

Serial No.: 10/646,243

Filed: August 22, 2003

Title: System And Method For Diagnosing

And Monitoring Respiratory

Insufficiency For Automated Remote

Patient Care

Attorney Docket No.: 020.0341.US.CON

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Group Art Unit: 3735

Examiner: Natnithithadha, Navin

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

ì

This Information Disclosure Statement is submitted:

<u>X</u>	under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)				
	under 37 CFR 1.97(c) together with either a: Statement under 37 CFR 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)				
	under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)				

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

Customer No. 22895

3

Patrick J.S. Inouye

Attorney/Agent for Applicant(s)

Reg. No. 40297

Date: July 12, 2006

Telephone No.: (206) 381-3900

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under th	ne Pagework Reduction (\$5) of 1995, no) persor	is are required to res	spond to a collection of information	on unless it displays a valid OMB control number.	
Substitute for form 1445A/PTO				Complete if Known		
Sub	Suitate for form 1443AVF TO			Application Number	10/646,243	
II.	NFORMATION DISCL	_os	URE	Filing Date	August 22, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Bardy	
				Art Unit	3735	
(Use as many sheets as necessary)				Examiner Name	Natnithithadha, Navin	
Sheet_	1	of	1	Attorney Docket Number	020.0341.US.CON	

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant		
		Number - Kind Code ^{2 (# known)}			Figures Appear		
······································		US-5,557,514	09-17-1996	Seare et al.			
		US-6,152,882	11-28-2000	Prutch			
		US-2003/0055679	03-20-2003	Soll et al.			
·····		***************************************					
							
							
***************************************	<u> </u>						
·							
,,			•••••••••••••••••••••••••••••••••••••••				
·····			······································				
)·····································							
			·				
·							

	ļ						
							
			<u> </u>		<u> </u>		

t

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵	
	-			,		-	
						-	
*************************************	-						
						-	
	<u> </u>					 	

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.